

**MINUTES OF THE CITY PLANNING COMMISSION  
J. MARTIN GRIESEL CONFERENCE ROOM**

**February 15, 2002  
9:00 AM**

**Present:** Appointed Members: Caleb Faux, Terry Hankner, Donald Mooney, Peter Witte; City Council Representative: Jim Tarbell; City Planning Staff: Steven Kurtz, Administrator, Land Use Management.

The meeting was called to order by Chairman Don Mooney.

**MINUTES**

The minutes of the January 18 and 25, 2002, City Planning Commission (CPC) meetings were presented for consideration.

**Motion:** Mr. Witte moved approval of the minutes with no corrections or additions.

**Second:** Ms. Hankner

**Vote:** All ayes (4-0).

**CONSENT ITEMS**

**Ordinance Authorizing a Lease with Holley Produce, Inc. for Property Located at 1020 Sargent Street in Queensgate**

Holley Produce, Inc., originally located on a site that was acquired by the City as part of the Fort Washington Way project, has now determined the property located at 1020 Sargent Street in the Queensgate neighborhood meets their business needs, and they wish to lease the property for a 20-year time period. For the first 5 years of the lease, the rental rate is the fair market value reduced by Holley's costs of remodeling the property. For the remainder of the lease period, the rental rate shall be the fair market rental value. The property is zone M-3 Heavy Manufacturing District and the proposed use as a produce distributorship is consistent with the zoning of the property.

**Ordinance to Accept and Confirm Dedication of Five Permanent Easements to Public Use Outside City Limits**

Various property owners have dedicated to public use easements for water mains and appurtenances. These easements were granted to the City of Cincinnati by private developers for public use of water mains on private property. The mains in these easements afford system integrity, a higher quality product and access for maintenance. Locations include: Alexandra's Ridge Subdivision, Bridgetown Road;

Highland Oaks, Rybolt Road; North Bend Crossings, West Fork Road; Jordan Ridge Subdivision, Jordan Road; and Southview Estates, South Road.

### **Two Ordinances to Accept and Confirm Dedication of Seven Permanent Easements to Public Use Outside City Limits**

Several easements have been dedicated for public use easements for water mains and appurtenances to accommodate residential development within Hamilton County. These easements were granted to the City of Cincinnati by private developers for construction, maintenance, repair and replacement of water mains. They include: The Pinnacle, Sections 30 and 36, Green Township; Camarillo Estates, Twin Hills Ridge Drive; Home Depot USA, Inc. Store 3814; Reading # 3 – CarX Property; Hunterston Subdivision, West Kemper Road; Reading # 3 – Hesley Property; and Harcourt Estates, Block A, Lots 13 and 14, Harcourt Drive.

### **Application for Demolition Permit for 3324, 3326 Ibsen Avenue and 3322 Browning Avenue in IDC No. 56, Oakley North Urban Renewal Area**

The buildings at 3324, 3326 Ibsen Avenue and 3322 Browning Avenue were acquired by Vandercar Holdings, Inc. and are proposed for demolition. They are not part of the large commercial development or the Subdivision Improvement Plans approved by the Commission. In accordance with IDC guidelines, the lot must be leveled, seeded and maintained until it is redeveloped.

### **Subdivision Improvement Plan for Brodbeck Park Subdivision, Phase I, Located on Westwood-Northern Boulevard in Westwood**

A Subdivision Improvement Plan (SIP) for Brodbeck Park Subdivision, Phase I, was submitted by J. T. King & Co., registered engineers, on behalf of Glacid Development, Inc., the owner and developer. The subdivision is located on the north side of Westwood-Northern Boulevard about 800 feet east of Ferncroft Drive. Phase I contains 8.9 acres, is divided into the R-2, Single-Family, Medium-Density and the R-3, Two-Family Zone District, and will contain 26 lots. Lots 1 through 23 are single-family homes with frontage on two new streets (Brodbeck Place and Foxcove Lane). Lot 24 will serve as a detention basin for excess stormwater. Lots 25 and 26 have frontage on both Westwood-Northern Boulevard and Bracken Road. Lot 25 is a second detention basin site; Lot 26 is a future development lot.

### **Subdivision Improvement Plan for The Mills of Carthage Subdivision in Carthage**

A Subdivision Improvement Plan (SIP) for the Mills of Carthage Subdivision was prepared by CDS Associates for the City of Cincinnati, the property owner. The 13-acre property was the subject of a zone change from M-2 to R-3 in August 2000. This SIP illustrates 32 new home site lots. There will be 14 lots fronting Fairpark Avenue, 15 lots fronting West 66<sup>th</sup> Street, and 3 lots fronting West 68<sup>th</sup> Street.

Private driveway easements along the rear property line for each lot will provide access to garages. The remaining 8.5 acres, with access from Van Kirk Avenue, will be for future housing development.

**Motion:** Ms. Hankner moved approval of the consent items

**Second:** Mr. Faux

**Vote:** Motion was approved, 4-0.

**Mr. Tarbell entered the meeting.**

### **PROPOSED DESIGNATION OF THE MOHAWK-BELLEVUE NEIGHBORHOOD BUSINESS DISTRICT HISTORIC DISTRICT**

Actions requested: 1. Approve the Mohawk-Bellevue Neighborhood Business District (NBD) Historic District Designation Report dated January 2002. 2. Approve the plat of the proposed district boundaries. 3. Approved the proposed Mohawk-Bellevue NBD Historic District Conservation Guidelines dated January 2002. 4. Approve the designation of the Mohawk-Bellevue NBD Historic District.

Urban Conservator Skip Forwood presented the staff report, indicating that the City Council established Interim Development Control (IDC) District No. 57, Mohawk, on September 25, 2001, to protect its architectural and historic resources while the Historic Conservation Office studied the area for historic designation. City Council approved an extension of the IDC District on December 5, 2001, setting March 26, 2002 as the District's expiration date.

As a result of the study process, staff has proposed the designation of the Mohawk-Bellevue NBD Historic District. The area extends for approximately two blocks along West McMicken Avenue, from just west of its intersection with Ravine Street to 612 West McMicken Avenue on the northern side of the street, and to 615 West McMicken Avenue on the south side of the street. The proposed district includes only those properties that face onto West McMicken Avenue. The proposed area contains structures that have historic significance, that represent one or more periods or styles of architecture typical to Cincinnati's history, and that cause the area to constitute an identifiable area. The proposed district conforms to applicable comprehensive plans for the community and to the *Coordinated City Plan*. In addition, the district will have a positive impact on the surrounding area and on the economic development plans of the City. Approved by the Historic Conservation Board on February 11, 2002, the proposed district is supported by the West McMicken Improvement Association. Staff recommends approval.

Mr. Forwood also indicated that, at the Historic Conservation Board (HCB) meeting, a resident of the area has requested that the boundary be extended to include vacant properties on both sides of West McMicken to Ravine Street.

**PROPONENT**

John Walter (458 Klotter Street, 45214) repeated the request he made of the HCB, that the boundary be extended to include the vacant properties "to protect the 'gateway' that opens onto the pocket of residential properties located there".

Mr. Forwood indicated that, if the boundary is extended, it will require that all residents within the extended area be notified by mail prior to the historic district being considered by the City Council.

**Motion:** Ms. Hankner moved to extend the boundary to the centerline of Ravine Street and to approve the actions requested.

**Second:** Mr. Faux

**Vote:** Motion was unanimously approved (5-0).

**RECONSIDERATION OF ORDINANCE TO REZONE 3892 ISABELLA AVENUE IN OAKLEY FROM THE R-3 TO THE B-4 DISTRICT**

Action requested: The City Planning Department reaffirms its previous recommendation regarding the zone change from R-3 to B-4, for reasons stated in the October 5, 2001 staff report; however, the City Council suggests that the CPC consider a zone change from the R-3 to R-3(T) Transition District.

Senior City Planner Ed Mangold presented the staff report, stating that on October 5, 2001, the CPC recommended disapproval of a zone change from R-3 to B-4 for 3892 Isabella Avenue in Oakley. On January 23, 2002, The Neighborhood and Public Services (NPS) Committee recommended that City Council approve the zone change to B-4; however, by a 6-3 vote, the City Council referred the ordinance for reconsideration. Planning staff had previously discussed the possibility of establishing a Transition District as an alternative to the B-4. At that time, the applicant was not willing to discuss a T-zone. In fact, at both the NPS Committee meeting and the City Council meeting, the applicant stated he did not want to be zoned R-3(T) and that he preferred a decision on the B-4, as originally requested. Despite these facts, the City Council requests that the CPC consider a zone change from the R-3 to R-3(T) for the subject property.

This approach was taken because (T) Districts are being eliminated from the new Zoning Code in favor of "built-in" performance standards. Should the Commission decide to recommend the R-3(T) District, the staff recommended guidelines regarding buffer yard requirements and other standards that are proposed in the draft Zoning Code that will help transition between incompatible uses. However, the City Planning Department reaffirms its previous recommendation that the CPC disapprove the proposed zone change from R-3 to B-4, for reasons stated in the October 5, 2001 staff report. Staff further recommends that, if it is the pleasure of

the City Council to approve any zone change for 3892 Isabella, that the parcel be included in the Environmental Quality-Urban Design District No. 5.

Sue Doucleff (3314 Alicemont Avenue, 45209), President of the Oakley Community Council, reported the Community Council was willing to agree to changing the zoning to R-3(T) so long as the guidelines prepared by the CPD were attached to the parcel, with the exception that the buffer yard should be only 3 feet instead of 10 feet, as proposed by staff. However, if the property is used for something other than residential or parking, the buffer yard will be required to be 10 feet.

### **PROPONENT**

The applicant, Bill Schirmer (3894 Isabella Avenue, 45209), briefly stated his case and agreed to accept an R-3(T) zone district.

**Motion:** Ms. Hankner moved disapproval of the zone change from R-3 to R-3(T) and sought Commission approval to re-affirm their initial disapproval. In addition, she further moved that, should the City Council approve any zone change for the parcel at 3892 Isabella, the parcel should be included in EQ-UD District No. 5.

**Second:** Mr. Faux

**Vote:** All ayes; 5-0.

### **ADJOURNMENT**

There being no further business to consider, the meeting was adjourned.

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Steven A. Kurtz, Administrator  
Land Use Management

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Donald J. Mooney, Chairman  
City Planning Commission

Date: \_\_\_\_\_

Date: \_\_\_\_\_